

\$28. OPEC committed to keeping prices in this range. They long ago discarded that commitment, and yet nobody has heard anything from the administration until just in the last week or so, as I and others started calling for answers.

We sure heard from the White House last week when OPEC prices dropped to \$35.51 per barrel. They said: Well, we are making progress. But the fact is, that amount is more than \$7 higher than the top of OPEC's target price range. So any pressure this administration has put on OPEC is a day late and more than \$7 short. Taking credit after the fact for a pittance of accommodation from OPEC is not going to solve this Nation's gasoline price problems, and it certainly is not going to provide the consumer any real relief.

I will tell you what else is not going to help American consumers. That is for the administration to continue to turn a blind eye to the rampant anticompetitive and anticonsumer practices that are plaguing our country's gasoline markets. Scores of communities, including those in my State, have few if any choices for the gasoline consumer. Nationwide the gas market in Oregon and at least 27 other States is considered tight oligopolies where four companies control more than 60 percent of the gasoline at the pump. In these tightly concentrated markets, numerous studies have found oil company practices have driven the independent wholesalers and detailers completely out of the market. They use red lining and zone pricing. The fact is, with these and other practices, the independent stations can't compete. They go out of business, and the oil companies can widen their net to grab even more cash from the consumers.

The Federal Trade Commission, when they have looked at these practices in the past, have admitted that they are anticompetitive and drive prices higher. They just say they don't have the power to do much about it. I don't think that is true. To be fair, the past administration didn't do a whole lot either when it came to going to bat for the consumer to stop these oil company anticompetitive practices. But this administration has proven that if they want to make something happen administratively, they certainly can do it. They have done that in area after area.

It seems to me that if the administration will end its campaign of inaction to stop the price-pumping shenanigans of private oil companies, they could certainly take steps now to help the American consumer.

In December of 2002, they stepped in to stop filling the Strategic Petroleum Reserve to keep more oil on the market, when the oil companies couldn't keep their refineries full. But now when American consumers are paying \$2 a gallon at the pump, we don't see any effort to stop filling the Strategic Petroleum Reserve. So the fact is, what this administration is unwilling

do for the driving public, they are willing to do for big oil.

What ought to be done in the face of this campaign of inaction? Certainly, you can make a start by having congressional action. I sponsored S. 1737, which would give the Federal Trade Commission additional tools to promote competition in these very tight markets. They would have the power to issue cease and desist orders to prevent companies from gouging consumers. That is a vehicle that can be used right now to help the American consumer. We are certainly going to have problems in the days ahead. And even the oil companies admit that the market won't solve the problems on its own.

Last August a report by the Rand Corporation revealed that even oil industry officials are predicting more price volatility in the future. Last November the Energy Information Administration also issued a report on the causes of last summer's record high gas prices.

They said—and this is the position of the Federal Government—"There is continuing vulnerability to future gasoline price spikes."

The Congress needs to act now before gasoline rises to \$3 per gallon, and we are hearing that from some independent oil industry analysts.

The administration, however, has the power to act now. They need to be on the phone. They need to be pushing OPEC today. They need to get off the dime at the Federal Trade Commission, where action can be taken administratively. Rising gas prices don't just hit families in the pocket during the weekly fill-up; those rising gasoline prices are producing a disturbance and causing ripples throughout our economy. There are huge consequences of this price manipulation.

When gasoline costs more, businesses' transportation costs go up. Their profits go down. So either the price of the goods they sell to consumers has to go up, or the number of people they employ must plummet. So higher gas prices either mean bigger costs for consumer goods, or fewer jobs in an economy that certainly cannot afford to lose any more.

Let me close by saying that I hope my legislation, S. 1737, will pass in the days ahead. Right now, consumers are getting socked at the pumps in person. That is not acceptable to me and should not be acceptable to any Member of the Senate. It is time to stand up to the status quo.

It is time for the Bush administration to take the lead. They ought to do it with OPEC and with the Federal Trade Commission. If the administration doesn't support the proposals I offer today, they ought to end their campaign of inaction and offer their own. I hope we will have a chance to debate this on the floor of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

#### NATIONAL SEX OFFENDER REGISTRY ACT OF 2004

Mr. DORGAN. Mr. President, last December, there were news reports around the country about the disappearance of a young student at the University of North Dakota whose name was Dru Sjodin.

I am sorry to tell you that Dru Sjodin has never been found. It is likely that she has been murdered. The person who allegedly committed that murder is now under lock and key in a North Dakota jail, awaiting a trial. And, as is too often the case, the man that apparently committed this crime had earlier been released from prison for committing similar offenses.

Let me talk for a moment about this case and about some legislation I have introduced in the Senate—bipartisan legislation—to respond to it.

Dru Sjodin was a student at the University of North Dakota. On a December afternoon, she was abducted in a parking lot at the shopping center in Grand Forks, ND.

The suspect who was arrested for that disappearance was a man named Alfonso Rodriguez, Jr. Law enforcement has released some details, saying that a knife with blood of the type of Dru Sjodin's blood was found in the automobile of Mr. Alfonso Rodriguez.

Mr. Rodriguez had only been released 6 months earlier from a 23-year sentence that he served in a prison for a previous rape and sexual assault in Minnesota. In fact, the Minnesota Department of Corrections had rated Mr. Rodriguez a "type 3" sexual offender, meaning that he was at the highest risk for reoffending.

In an evaluation conducted in January 2003, a little over a year ago, a prison psychiatrist wrote that Mr. Rodriguez had demonstrated "a willingness to use substantial force, including the use of a weapon, in order to gain compliance from his victims."

Yet Mr. Rodriguez was released in May of 2003—not yet a year ago—by the Minnesota Department of Corrections. He had served 23 years; he had served his full sentence, and the Department of Corrections released him and imposed no further supervision for his release.

The Minnesota Department of Corrections could have recommended that the State Attorney General seek what is known as a civil commitment. That means a State court would have required Rodriguez to be confined in prison as long as he posed a significant threat to the public, even if he had already served his original sentence. But the Attorney General was not notified of Mr. Rodriguez's release, and so no action was taken there.

Upon his release, Mr. Rodriguez went to live in Crookston, MN, unsupervised, just a short distance from the Grand Forks, ND, shopping mall where Dru Sjodin was abducted. Mr. Rodriguez was listed on a list of sexual predators in Minnesota. But each State has listings of sexual predators. If concerned

citizens in Grand Forks, ND, wanted to know whether there was a sexual predator living nearby, they would have accessed the North Dakota sexual predator list and would not have found Mr. Rodriguez's name, despite the fact that he lived just a short distance from that Grand Forks shopping center, across the state line.

In my judgment, we have to do much, much better than that. A recent study found that 72 percent of the highest risk sexual offenders commit another sexual assault within 6 years of being released. And the Bureau of Justice statistics tell us that sex offenders released from prison are over 10 times more likely to be arrested for a sexual crime than individuals who have no record of sexual assault at all.

We just cannot continue to release sexual predators from prison with no supervision whatsoever and let them prey on an unsuspecting public. So I have offered legislation that I hope will deal with some of the breakdowns that have occurred in this case. The legislation I have offered is cosponsored by Senator COLEMAN and Senator DAYTON from Minnesota, and by my colleague, Senator CONRAD, from North Dakota.

I ask unanimous consent to add as a cosponsor Senator Johnston from South Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I will define what the bill does. First, it directs the Department of Justice to create a national registry of sex offenders, which would be accessible to the public. This isn't difficult. You just aggregate the State lists so you have a national list. All Americans who live near State borders will be able to access that list.

Second, this legislation will try to ensure that the highest risk sex offenders are not released at all. The bill requires that States provide automatic and timely notification to the States' attorneys of the planned release of any high-risk sex offender. Before the release, the State's attorney shall be formally notified. That will give them time to pursue civil commitment cases for those who are the most dangerous, in order to continue to keep them in prison. They are able to do that under current law. My bill doesn't change current State laws, but it requires notification of the States' attorneys when somebody who is a type 3 high-risk sexual predator is about to be released from prison.

Third, the bill provides that for those high-risk sexual predators who are released after serving their full sentences, there will be intensive State supervision for a period of not less than one year.

Mr. President, in developing this piece of legislation, we have worked with the National Center for Missing and Exploited Children, the Vanished Children's Alliance, the National Council of Cities, and many others. A companion bill to my legislation has been

offered in the House by PAUL GILLMOR from Ohio and EARL POMEROY of North Dakota. That, too, is a bipartisan piece of legislation.

Dru Sjodin, was, by all accounts, a wonderful person. I visited with her family and with her roommate in college. It is a tragedy the likes of which we see very seldom in our part of the country. Dru Sjodin has been missing since December. They have had search parties, the National Guard has searched, and her family is still out searching even after the formal law enforcement search has discontinued.

This young woman walked out of a shopping center in the town of Grand Forks, ND, and was abducted by someone who had just been released after 23 years in prison as a sexual predator.

We have to do a lot better than that to protect the American people. This is a tragedy. It is heartbreaking just to talk about this, but in the name of Dru Sjodin and so many other victims of crime, this Congress needs to do better.

One way to do better is to create and require the creation of a national registry of sexual predators so that we know where they are and where they live, not just by State, but where they are across this country, so one can identify them by sorting ZIP Codes or any other definition one wants. That is important.

And when the highest risk sexual predators are about to be released from American prisons, I believe States' attorneys must be notified so they can properly take action for civil commitment in cases where they believe it is necessary. Mr. Rodriguez, in my judgment, should have been in prison, not walking the streets of Grand Forks, ND.

It is easy, perhaps, to suggest criticism of those who did not do their job. But that is not the point. The point is to try to protect others in the future. I hope in the future, whether it is in Grand Forks, ND, or along the streets of any other American city, that no one—no one—has to confront a sexual predator who was just released from prison, and who we knew was violent. We should anticipate such cases, and make use of civil commitment laws. I hope this legislation moves us in that direction.

Mr. President, I thank the bipartisan cosponsors of this legislation and hope we can take action on this legislation in the Congress soon.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

## PERSONAL RESPONSIBILITY AND INDIVIDUAL DEVELOPMENT FOR EVERYONE ACT—Continued

The ACTING PRESIDENT pro tempore. The Senate will continue consideration of H.R. 4.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today we begin debate on what the public at large would refer to as a welfare reform bill, a bill that would build upon very major changes that were made after 60 years of the previous welfare legislation that did not accomplish its goals to one now where we have had an opportunity since 1996 to move people from welfare to work.

The public at large and sometimes even I refer to this legislation as welfare reform, but our legislation is entitled "The Personal Responsibility and Individual Development for Everyone Act." If you hear us use the acronym P-R-I-D-E, PRIDE, this is the legislation that is before the Senate. I am very happy that we are finally able to consider this legislation.

Going back to 1996, after years of debate and even after two vetoes by President Clinton, we finally had a Republican Congress pass, and a Democratic President sign, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. I emphasize that because the issue of welfare is highly charged politically. When you are going to make major changes, as we did in 1996, it takes bipartisanship to accomplish those changes. That bipartisanship was between Democratic President Clinton and a Republican-controlled Congress.

The enactment of welfare reform ended the entitlement aspect of welfare, the cash assistance part of it. The impetus for welfare reform was generated by a number of factors, including public sentiment that the welfare system needed overhauling. When campaigning for President, President Clinton promised, in his words, "to end welfare as we know it." For the Republicans, during the campaign for Congress in 1994 when the Contract With America was the watch word of Republicans, welfare reform was a key part of that. So we had a President promising to end welfare as we know it, we had Republicans putting it in their Contract With America, and, finally, after 2 years, the legislation was passed at that time.

I would categorize the PRIDE legislation as moving on and fine-tuning that basic underlying legislation which has sunset. The sunset was in the 1996 legislation. When legislation sunsets, it must be reenacted by the Congress of the United States or that part of the code goes off the books.

Quite honestly, there are Americans who have needs. There is still need for